

9. 2006SP-052U-05

Map 061-07, Parcel049, 050, 051, 052

Subarea 5 (1994)

District 8 - Jason Hart

A request to change from RS7.5 and OL to SP district property located at 4601 and 4603 Gallatin Pike and Broadmoor Drive (unnumbered), northwest corner of Gallatin Pike and Broadmoor Drive (.84 acres), to permit 960 square feet of retail uses, a 531 square foot coffee shop use, and 1,109 square feet of retail storage uses at 4603 Gallatin Pike, the continuation of an existing single family residence at 4601 Gallatin Pike, and associated parking, requested by Jacque and James Shultz, Linda Smith, and R. V. Smith, owners.

Staff Recommendation - *Approve with conditions*

APPLICANT REQUEST - Rezone 0.84 acres from residential single family (RS7.5) and office limited (OL) to Specific Plan (SP) zoning property located at 4601 and 4603 Gallatin Pike, and Broadmoor Drive (unnumbered), to permit 960 square feet of retail uses, a 531 square foot coffee shop use, and 1,109 square feet of retail storage uses at 4603 Gallatin Pike, the continuation of an existing single family residence at 4601 Gallatin Pike, and associated parking.

Existing Zoning

RS7.5 district - RS7.5 requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre.

OL district - Office Limited is intended for moderate intensity office uses.

Proposed Zoning

SP district (preliminary)-Specific Plan is a zoning district category that provides for additional flexibility of design, including the relationship of buildings to streets, to provide the ability to implement the specific details of the General Plan.

- The SP District is a new base zoning district, not an overlay. It will be labeled on zoning maps as “SP.”
- The SP District is not subject to the traditional zoning districts’ development standards. Instead, urban design elements are determined **for the specific development** and are written into the zone change ordinance, which becomes law.
- Use of SP **does not** relieve the applicant of responsibility for the regulations/guidelines in historic or redevelopment districts. The more stringent regulations or guidelines control.
- Use of SP **does not** relieve the applicant of responsibility for subdivision regulation and/or stormwater regulations.

EAST NASHVILLE COMMUNITY PLAN POLICY:2006 Update

Community Center (CC) - CC is intended for dense, predominantly commercial areas at the edge of a neighborhood, which either sits at the intersection of two major thoroughfares or extends along a major thoroughfare. This area tends to mirror the commercial edge of another neighborhood forming and serving as a “town center” of activity for a group of neighborhoods. Appropriate uses within CC areas include single- and multi-family residential, offices, commercial retail and services, and public benefit uses. An accompanying Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

Neighborhood General (NG) - NG is intended to meet a spectrum of housing needs with a variety of housing that is carefully arranged, not randomly located. An accompanying Urban Design or Planned Unit

Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

The SP proposal includes four parcels: three of which (4601, and 4603 Gallatin Pike) fall within the CC policy area in the *East Nashville Plan: 2006 Update*, while the parcel along Broadmoor falls within the NG policy area. Three of the four parcels in the proposal are zoned RS7.5 currently, while 4603 Gallatin Pike is zoned Office Limited.

Policy Conflict - The SP district proposes a retail *storage* use within the house currently located at 4603 Gallatin Pike. A retail use is only currently permitted in the Office Limited zoning on this parcel as an Accessory use. The general retail uses proposed to the rear of the property are consistent with the Community Center policy.

The SP also proposes the construction of wooden fence along the western rear property line of the property located at Broadmoor Drive (unnumbered), which is currently vacant and serves as a landscaped backyard for the house located at 4601 Gallatin Pike. The SP restricts the use of this landscaped parcel as a buffer to the adjacent residential area to the west. [The plan initially submitted to the Planning Department proposed that this parcel serve as a gathering place for occasional special events, not to be used for any retail sales or parking uses. The applicant amended the SP application to remove this use, given problems associated with demonstrating adequate parking for such a use].

Because this landscaped parcel (052) provides a buffer to the adjacent residential area, this part of the SP is largely consistent with the intent of the parcel's Neighborhood General policy.

Preliminary Plan Details - As discussed above, the 4603 Gallatin Pike property currently has a 2,600 square foot single family house on it, which will remain unchanged and become the main structure for the retail storage and coffee/refreshments sales uses. In Phase 1 of the SP, a 704 square foot carport area to the rear of this house would be enclosed to allow for a "yard gift shop" (retail) use. New paved parking spaces are to be added in front of the house. In Phase 2, a 256 square foot barn/shed would open (also to the rear of the house), to allow for the sale of crafts, antiques, and other related regional art, and a 531 square foot coffee/refreshment shop will open on the side of the house at 4603 Gallatin Pike.

Phase 3 of the SP would consist of a wooden privacy fence to be added to the western rear of this parcel to screen this property from the adjacent residential area. An area of existing vegetation will be preserved to the rears of the existing structures, on the western perimeter of the SP.

For any standards not explicitly listed on the Specific Plan, the MUN district has been deemed the site's catchall district.

Building Elevations - No building elevations were provided with this application, but as the existing buildings will remain unchanged within the SP development (other than the enclosure of the carport), staff deemed this adequate and did not require any more information.

Vehicular Access - The property at 4603 Gallatin Pike has one existing private driveway that will remain for the retail use, and the property at 4601 Gallatin Pike has an existing unpaved circular access driveway off of Broadmoor Drive. The SP proposes to eliminate one of these access points from Broadmoor Drive to allow for the addition of several surface parking spaces. The driveway area is proposed to remain unpaved.

Parking - A total of 16 surface spaces are proposed onsite within the SP. Four striped surface parking spaces have been proposed to be added to the rear of the property at 4601 Gallatin Pike (where six are existing). In addition, three surface spaces are proposed to be added to the front of the house at 4603 Gallatin Pike, and three parallel parking spots are proposed off of the existing driveway at the same property. The applicant has agreed to a prohibition of any parking for this SP on-street along Broadmoor Drive.

The Zoning Administrator has identified that at least four of the proposed spaces in the lot at 4601 Gallatin

Pike are not approvable by the Codes Department because they fall within 20' of the right-of-way of Broadmoor Drive. There is a 20' minimum distance requirement that appears to render not feasible spaces #1, 2, 5, and 6. In addition, at least two of the three parallel parking spaces that are planned for the driveway of the property at 4603 Gallatin Pike appear not to be feasible, due to the narrow driveway width and the difficulty in gaining access to these spaces once one car is parked in space #3. One space on the front of 4603 Gallatin Pike is also not feasible, as it is proposed within 20' of Gallatin Pike's right-of-way. These problems reduce the number of onsite parking spaces to nine. Nine parking spaces **are** sufficient to serve the retail uses proposed on the property at 4603 Gallatin Pike (1 parking space per every 200 square feet of retail in the Metro Zoning Ordinance; 1,491 square feet of retail/refreshments would require eight spaces).

Landscaping Plan - The plans propose to preserve the existing landscaped areas along the site's western rear property boundary, to shield views of the retail/refreshment sales uses within the SP. The landscaping plan proposes the preservation of a 12 foot-wide existing line of trees at the rear of the property, as well as existing landscaping along Broadmoor Drive and throughout the entire property.

Pedestrian access - There is an existing sidewalk along the frontage of this property with Gallatin Pike. It will be altered at the vehicular access point, and repaired elsewhere to the Metro standard. There is no sidewalk along the frontage of Broadmoor Drive with this property, but the construction of a sidewalk within the right-of-way would hinder the goal of preserving existing landscaped area along this property's frontage with Broadmoor Drive. As such, no sidewalk has been shown on the plans.

RECENT REZONINGS - None.

PUBLIC WORKS RECOMMENDATION

1. All Public Works design standards shall be met prior to any final approvals and permit issuance. Any approval is subject to Public Works' approval of the construction plans. Final design and improvements may vary based on field conditions.
2. Provide standard site boundary and topographical data.
3. Label and show reserve strip for future right of way (42 feet from centerline to property boundary) along Gallatin Pike, consistent with the approved major street plan (U4 - 84' ROW).
4. Label and dedicate right of way 30' from centerline to property boundary along Broadmoor Drive, consistent with the approved major street / collector plan.
5. Show edge of pavement for Gallatin and Broadmoor Drive. Relocate proposed driveway on Broadmoor out of left turn storage lane.
6. Show 20' queuing space between large parking lot and edge of right of way.
7. Parking for retail, commercial, and residential uses shall be per Metro Codes.

STORMWATER RECOMMENDATION - Preliminary SP approved with conditions.

1. All preliminary comments and construction drawings, if applicable, are to be approved prior to Final SP approval.

Plans need the following items:

1. Project Name
2. FEMA Note / Information
3. North Arrow & Bearing Information
4. Vicinity Map
5. Proposed Site Layout (Scale no less than 1" = 100', Contours no greater than 5')
6. Add 78-840 Note: "Any excavation, fill, or disturbance of the existing ground elevation must be done in accordance with storm water management ordinance No. 78/840 and approved by The Metropolitan Department of Water Services."
7. Undisturbed Buffers: Add Buffer Note (if there is a drain buffer): "The buffer along waterways will be an area where the surface is left in a natural state, and is not disturbed by construction activity. This is in accordance with the Stormwater Management Manual Volume 1 - Regulations."
8. Add Preliminary Note: "This drawing is for illustration purposes to indicate the basic premise of

- the development. The final lot count and details of the plan shall be governed by the appropriate regulations at the time of final application.”
9. Add Access Note: “Metro Water Services shall be provided sufficient and unencumbered access in order to maintain and repair utilities in this site.”
 10. Add C/D Note: “Size driveway culverts per the design criteria set forth by the Metro Stormwater Management Manual (Minimum driveway culvert in Metro ROW is 15" CMP).”
 11. Show Existing Topography
 12. Show Water Quality Concept - Room for Detention (if necessary).

METRO SCHOOL BOARD REPORT

Projected student generation -As the Specific Plan proposes retail uses, where residential and some limited office activities are currently allowed, the application of the SP to the property will have a negligible impact on the number of students generated.

CONDITIONS

1. All off-site traffic conditions, as recommended by Public Works, must be bonded or completed prior to the recordation of the final plat.
2. All other Public Works recommendations must be complied with prior to approval of the final SP plan.
3. All preliminary comments and construction drawings, if applicable, are to be approved by the Stormwater Division of Metro Water Services prior to final SP approval.
4. No Special Event uses are permitted in this SP.
5. Prior to any additional development applications for this property, the applicant shall provide the Planning Department with a final corrected copy of the SP plan for filing and recording with the Davidson County Register of Deeds.
6. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission approval, the property shall be subject to the standards, regulations and requirements of the MUN zoning district. This has been shown on the plan.

Approved with conditions (7-0), *Consent Agenda*

Resolution No. RS2006-109

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006SP-052U-05 is **APPROVED WITH CONDITIONS (7-0), including that prior to final site plan approval, all parking spaces proposed within 20’ of public right-of-way shall be eliminated, as required by the Zoning Administrator.**

CONDITIONS OF APPROVAL:

PUBLIC WORKS RECOMMENDATION

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2. Provide standard site boundary and topographical data.
3. Label and show reserve strip for future right of way (42 feet from centerline to property boundary) along Gallatin Pike, consistent with the approved major street plan (U4 - 84' ROW).
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consistent with the approved major street / collector plan.

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7. Parking for retail, commercial, and residential uses shall be per Metro Codes.

STORMWATER RECOMMENDATION - Preliminary SP approved with conditions.

1. All preliminary comments and construction drawings, if applicable, are to be approved prior to Final SP approval.

Plans need the following items:

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12. Show Water Quality Concept - Room for Detention (if necessary).

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2. All other Public Works recommendations must be complied with prior to approval of the final SP plan.
3. All preliminary comments and construction drawings, if applicable, are to be approved by the Stormwater Division of Metro Water Services prior to final SP approval.

4. No Special Event uses are permitted in this SP.
5. Prior to any additional development applications for this property, the applicant shall provide the Planning Department with a final corrected copy of the SP plan for filing and recording with the Davidson County Register of Deeds.
6. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission approval, the property shall be subject to the standards, regulations and requirements of the MUN zoning district. This has been shown on the plan.

The proposed SP site plan is consistent with the East Nashville Community Plan's Community Center and Neighborhood General policies. Community Center is intended for dense, predominately commercial areas at the edge of neighborhoods. Appropriate uses include single and multi family residential, offices, commercial retail and services, and public benefit uses. Neighborhood General is for residential uses."